



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2013 REGULAR SESSION

SENATE BILL NO. 32

TUESDAY, FEBRUARY 19, 2013

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE March 19, 2013
7:05pm

ALISON I UNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adkins

1 AN ACT relating to donations.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 150 IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section, "mounted wildlife specimen" means:

6 (a) A legally taken animal, including the skin of the head, cape, or the entire
7 skin, mounted in a lifelike representation of the animal or any part thereof;

8 or

9 (b) A European mount in which the horns or antlers and the skull or a portion
10 of the skull are mounted for display.

11 (2) Notwithstanding KRS 150.180 and no later than January 1, 2014, the department
12 shall promulgate administrative regulations to allow a resident nonprofit
13 charitable, religious, or educational institution which has qualified for exemption
14 from income taxation under Section 501(c)(3) of the Internal Revenue Code to
15 sell mounted wildlife specimens, except as prohibited by federal law, that have
16 been donated to that institution.

17 (3) The administrative regulations promulgated under this section shall establish a
18 means by which each transaction for the sale of donated mounted wildlife
19 specimens for white-tailed deer, elk, bears, turkeys, and bobcats allowed under
20 subsection (2) of this section shall be recorded by the department. The department
21 shall make the recording of each transaction as reasonably convenient for all
22 parties to the transaction as possible, which may include but not be limited to
23 allowing telephone and Internet recording of sales.

24 (4) Licensed taxidermists subject to the reporting requirements under KRS 150.4111
25 shall be exempt from the requirements of subsection (3) of this section.

26 ➔Section 2. KRS 367.668 is amended to read as follows:

27 (1) Prior to orally requesting a contribution or when requesting a contribution in

1 writing, a professional solicitor shall clearly disclose:

2 (a) The professional solicitor's~~[His]~~ name, as set out in the registration statement
3 filed with the Attorney General pursuant to KRS 367.652, phone number or
4 e-mail address, and the fact that the professional solicitor~~[he]~~ is being paid
5 for providing~~[his]~~ services;~~[-]~~

6 (b) The name of the charitable organization the professional solicitor~~[he]~~
7 represents and a description of how the contributions raised by the solicitation
8 will be used for a charitable or civic purpose~~[-]~~

9 }; and

10 (c) If the professional solicitor places or maintains a receptacle in public view
11 for the purpose of collecting contributions in the form of clothing,
12 household items, and other items, the receptacle shall contain a sign or
13 label that:

14 1. Includes the information contained in paragraphs (a) and (b) of this
15 subsection;

16 2. Includes a statement that reads as follows: "Items donated here
17 support, in part, a for-profit professional solicitor.";

18 3. Is in lettering not less than three (3) inches in height and one-half
19 (1/2) inch in width; and

20 4. Is placed immediately below the opening in the receptacle used to
21 deposit donations.

22 (2) Any individual who acts on behalf of the professional solicitor and identifies
23 himself by name shall give his legal name.

24 (3) Any responses given by or on behalf of a professional solicitor to an oral or written
25 request for information shall be truthful.

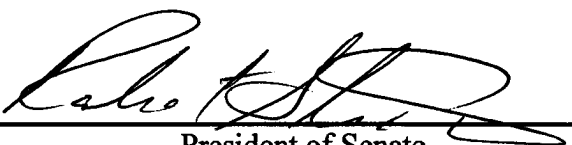
26 (4) The written confirmation, receipt, or reminder sent to a contributor or one who has
27 pledged to contribute, following an oral solicitation, shall clearly include the

1 information required by subsections (1) and (2) of this section.

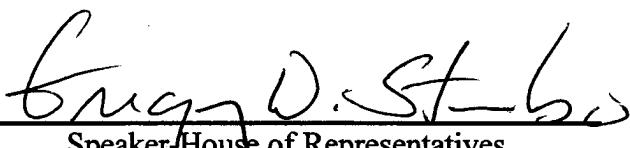
2 (5) If the person being solicited requests information regarding the amount or
3 percentage of funds going to the charitable organization or for a charitable or civic
4 purpose, the professional solicitor shall inform the person solicited of the
5 percentage of the gross revenue or the reasonable estimate of the gross revenue that
6 the charitable organization will receive from the solicitation campaign. The
7 Attorney General shall promulgate administrative regulations necessary to
8 effectuate this disclosure.

9 ➔Section 3. The following KRS section is repealed:

10 367.178 Collection of donated clothing, household items, or other items for resale.



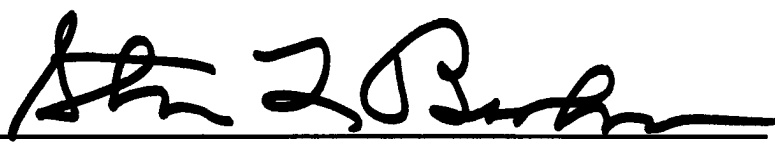
President of Senate



Speaker House of Representatives

Attest: 

Chief Clerk of Senate

Approved 

Governor

Date 3-14-13